

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:19-CV-550-BO

CHARLES RAY FINCH,  
Plaintiff,

v.

WILSON COUNTY, *et al.*,  
Defendants.

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ORDER

This cause comes before the Court on a motion by movant Mark J. Hale, Jr. for substitution of party for plaintiff Charles Ray Finch pursuant to Rule 25(a) of the Federal Rules of Civil Procedure. Defendants have failed to respond to the motion, and the time for doing so has expired.

Plaintiff Charles Ray Finch died on January 4, 2022. On March 3, 2022, Mark Hale, Jr. was appointed as Collector for the Estate of Charles Ray Finch by the Clerk of Superior Court in Wilson County, North Carolina. Defendants filed a suggestion of death on the record on March 7, 2022, and the instant motion was thereafter timely filed. *See* Fed. R. Civ. P. 25(a)(1).

Movant has demonstrated that Mr. Finch's remaining claims did not extinguish upon his death and that Mr. Hale is the proper substitute party. The motion [DE 114] is therefore GRANTED.

SO ORDERED, this 4 day of May 2022.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE